

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

MERLE GRIFF, <i>et al.</i> ,)	
)	CASE NO. 5:24CV0687
Plaintiffs,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
INNOVATIVE MEDTECH, INC., <i>et al.</i> ,)	
)	<u>MEMORANDUM OF OPINION</u>
Defendants.)	<u>AND ORDER</u>

On April 17, 2024, Plaintiffs Merle Griff, Adam Griff, and Brian Froelich filed the above-entitled action against Defendants Innovative MedTech, Inc. and Veterans Services, LLC d/b/a Veterans USA LLC based on diversity jurisdiction. Defendant Veterans Services, LLC (“Veterans Services”) is alleged to be a limited liability company. *See* Complaint ([ECF No. 1](#)) at PageID #: 2, ¶ 5.

Veterans Services filed a Jurisdictional Statement ([ECF No. 11](#)) identifying the citizenship of all of its members in response to a Show Cause Order ([ECF No. 9](#)). For the reasons set forth below, the case at bar is dismissed.

Under [28 U.S.C. § 1332\(a\)](#), a court has subject matter jurisdiction over a case raising state law claims only if there is complete diversity of citizenship and the amount in controversy exceeds \$75,000. The complete diversity rule requires that every plaintiff be of diverse citizenship from every defendant. [Strawbridge v. Curtiss, 7 U.S. \(3 Cranch\) 267 \(1806\)](#).

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“The current members of [Veterans] Services are EF Trust LLC and Edward Dovner. EF Trust LLC is a Delaware limited liability company and its sole member is a California resident. Edward Dovner is a resident of Florida.” [ECF No. 11](#).

“Plaintiff Merle Griff is a citizen of the State of Florida.” [ECF No. 1 at PageID #: 1, ¶ 1](#).

Without regard to whether Plaintiffs may have stated otherwise valid claims for relief, it is clear from the Jurisdictional Statement ([ECF No. 11](#)) that there is not complete diversity of citizenship of the parties. The inclusion of Edward Dovner as a member of Veterans Services is a violation of the complete diversity rule since Mr. Dovner is a co-citizen of Dr. Griff. The Court therefore lacks subject matter jurisdiction over this matter. See [Caudill v. North America Media Corp., 200 F.3d 914, 916 \(6th Cir. 2000\)](#).

Because complete diversity is lacking, the within matter will be dismissed without prejudice.

IT IS SO ORDERED.

June 21, 2024
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge